

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANTHONY DIAZ ET AL,
Plaintiff

CIVIL ACTION NO. 04-12664-DPW

v.

BAYBUTT CONSTRUCTION
CORPORATION,
Defendants

CONDITIONAL ORDER OF DISMISSAL

WOODLOCK, District Judge

The complaint in the above-entitled action was filed on DECEMBER 20, 2004. As of this date there has been no return to the Court of proof of service of the summons and complaint on the defendants.

Therefore, it is hereby ORDERED pursuant to Rule 4(m) of the Federal Rules of Civil Procedure that the above-entitled action be dismissed without prejudice in twenty (20) days from the date of this Order unless proof of service is filed or good cause shown why service has not been made.

BY THE COURT,

/s/ Michelle Rynne
Deputy Clerk

DATED: May 11, 2005